# SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1967.

## COSTELLO *v.* UNITED STATES.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT.

No. 3. Decided March 4, 1968.

PER CURIAM.

Upon the suggestion of mootness by reason of the death of the petitioner, the judgment of the United States Court of Appeals for the Second Circuit is vacated and the case is remanded to the United States District Court for the District of Connecticut for such disposition as law and justice require.

MR. JUSTICE MARSHALL took no part in the consideration or decision of this case.